

2017

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

JA999-704

First Named Inventor: Rajenda Kumar Bera

Art Unit: 2122

Application Number: 09/728,096

Examiner: Zhen, Wei Y

Filed: 12/01/2000

Title: DETERMINATION OF THE EQUIVALENCE OF ALGEBRAIC EXPRESSIONS

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RECEIVED**

DEC 20 2004

**OFFICE OF PETITIONS**

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703)305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

**1. Petition fee**

☐ Small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(l)) Applicant claims small entity status..  
See 37 CFR 1.27.

☒ Other than small entity - fee \$ 500.00 (37 CFR 1.17(l)).

(Deposit Acct. 09-0457 (IBM))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of

Request for Reconsideration (identify the type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

(Page 1 of 3)

This collection of information is required by 37 CFR 1.137(a) The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09728096

090457

500.00 DA

12/16/2004 AWONDAF1 00000023

01 FC:1452

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

JA999-704

## 3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or  
\$ \_\_\_\_\_ ther than a small entity) disclaiming the required period of time enclosed herewith  
(see PTO/SB/63).4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the  
due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is  
enclosed.**WARNING: Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorize on PTO-2038.**12/13/2004

Date

Jack P. Friedman

Signature

(518) 220-1850

Telephone Number

Jack Friedman

Typed or printed name

44,688

Registration Number, if applicable

Schmeiser, Olsen & Watts, 3 Lear Jet Lane, Suite 201

Address

Latham, NY 12210

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unavoidable delay☐ \_\_\_\_\_**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first  
class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450.☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at  
(703) 872-9306.12-13-04

Date

Betty Zuelsdorf

Signature

Betty Zuelsdorf

Typed or printed name of person signing certificate

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

12/13/2004

Date

Jack P. Friedman

Signature

44,688

Registration Number, if applicable

Jack Friedman

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply)

12/01/2000 (EXHIBIT A) The application for this patent was filed by Ronald Drumheller, Registration No. 25,674.

01/23/2002 Manny Schecter, who was one of the attorneys given Power of Attorney in the Declaration and Power of Attorney for Patent Application which was included with the filing of the application (EXHIBIT B), filed an Appointment of Attorney in which he directed that all future official communications be directed to T. Rao Coca at International Business Machines Corporation, Almaden Research Center, 650 Harry Road, San Jose, CA 95120. (EXHIBIT C) Note that the Patent Office Technology Center stamped the document as having been received 02/01/2002.

06/27/2003 An Office Action was incorrectly mailed by the Patent Office to Ronald Drumheller although T. Rao Coca was to have received all communications from the Patent Office. EXHIBIT D - Cover page of the Office Action)

01/13/2004 The Notice of Abandonment was incorrectly mailed by the Patent Office to Ronald Drumheller. (EXHIBIT E)

02/14/2004 The Associate Power of Attorney was given to Anthony England. Mr. England included a Status Inquiry when submitting the Associate Power of Attorney forms to the Patent Office. (EXHIBIT F) Mr. England did not have knowledge of the assignment of an Examiner to the application. He indicated the Examiner as "Unknown." He states that no Office Action had been received. Without his knowledge, the application had already gone abandoned January 13, 2004. There is no record that the Patent Office issued a response to Mr. England's Status Inquiry.

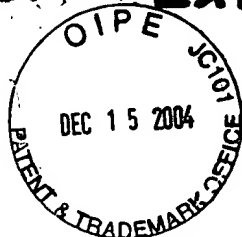
02/26/2004 Jack Friedman was given Power of Attorney and all future correspondence was to be send to him. (EXHIBIT G)

10/22/2004 Jack Friedman received a "copy of returned Notice of Abandonment " from the Patent Office. (EXHIBIT H) This was the first time he knew the status of the application.

We submit that the errors made by the incorrect mailings from the Patent and Trademark Office caused the application to go abandoned. We are contacting you within the required 2 month period after learning of the application's abandoned status.

*(Please attach additional sheets if additional space is needed.)*

# Exhibit A - 2 pages - Application



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## PATENT APPLICATION

In re application of: Rajendra Kumar BERA

Docket No: JA999-704

Serial No: To be assigned

Group No.

Filed: Herewith

Examiner:

For: DETERMINATION OF THE EQUIVALENCE OF ALGEBRAIC EXPRESSIONS

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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OFFICE OF PETITIONS

## EXPRESS MAIL CERTIFICATE

"Express Mail" label number: EL206243536US

Date of Deposit: December 1, 2000

I hereby certify that the attached paper or fee

1. Patent Application including 26 pages of Specification, Claims & Abstract
2. Four (4) Sheets of Drawings
3. Return Receipt Card
4. Transmittal Letter
5. Certified Copy of Japanese Application 11-341591 filed December 1, 1999
6. Signed Declaration

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Ronald L. Drumheller

(Printed name of person mailing paper or fee)

Docket No.: JA999-704

Serial No.:

In re Application of: RAJENDRA KUMAR BERA

For: DETERMINATION OF THE EQUIVALENCE OF ALGEBRAIC EXPRESSIONS

(or fee)

PLEASE DATE STAMP AND RETURN TO:

ACKNOWLEDGE RECEIPT OF NOTED DOCUMENTS

SLC

Application.....☒ Amendment... ☐  
26 Pages of Issue Fee... ☐  
Spec, Clms & Abs Not. of App. ☐  
Conv. Doc.....☒ Ext. of Time ☐  
Drawings Inf. ☐ Mailing Cert ☐  
No. Sh. 4 For. ☐ Express Mail ☒  
Power of Attorney ☐ Assignment... ☒  
Decl.-signed.....☒ Appeal Brief ☐  
Decl.-unsigned... ☐ Cover Letter ☒

jc860 U.S. PTO

09/728096



12/01/00

MAILING DATE DECEMBER 1, 2000

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Docket No. JA999-704  
Date: December 1, 2000

Sir:

Transmitted herewith for filing is the Patent Application of:

Inventor: Rajendra Kumar BERA

For: DETERMINATION OF THE EQUIVALENCE OF ALGEBRAIC EXPRESSIONS

Enclosed are:

- ☒ 26 pages of Specification, Claims and Abstract.
- ☒ 4 sheets of drawing.
- ☒ An Assignment of the invention.
- ☒ A certified copy of JAPANESE Application 11-341591, filed December 1, 1999.
- ☒ Assignment Recordation Form and Fee.
- ☐ PTO Form 1449 with attached references and transmittal letter.
- ☐ Preliminary Amendment (PLEASE ENTER BEFORE CALCULATION OF FILING FEE).
- ☒ Signed Declaration

The filing fee has been calculated as shown below:

For:	No. Filed	No. Extra	Rate	Fee
Basic Fee				\$ 710.00
Total Claims	7 - 20 =	0	x 18 =	\$ 0.00
Indep Claims	3 - 3 =	0	x 80 =	\$ 0.00
[ ] Multiple Dependent Claim Presented			+270 =	\$ 0
			TOTAL	\$ 710.00

[ ] A check in the amount of \$ is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0510. A duplicate copy of this sheet is enclosed.

☒ Any filing fees required under 37 CFR 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully Submitted,

By 

Attorney: Ronald L. Drumheller

Registration No.: 25,674

Telephone: (914) 628-6090

Ronald L Drumheller, Esq.  
94 Teakettle Spout Road  
Mahopac, NY 10541

# Exhibit B - Manny Schecter has Power of Attorney

Docket No. JA9-99-704

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### DETERMINATION OF THE EQUIVALENCE OF ALGEBRAIC EXPRESSIONS

the specification of which (check one)

X is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_ as

Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed
<u>11-341591</u>	<u>JAPAN</u>	<u>1/12/99</u>	<u>X</u> Yes ___ No
(Number)	(Country)	(Day/Month/Year Filed)	
_____	_____	_____	___ Yes ___ No
(Number)	(Country)	(Day/Month/Year Filed)	
_____	_____	_____	___ Yes ___ No
(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application;

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status) (patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

Manny W. Schecter (Reg. 31,722), Terry J. Ikardi (Reg. 29,936), Christopher A. Hughes (Reg. 26,914), Edward A. Pennington (Reg. 32,588), John E. Hoel (Reg. 26,279), Joseph C. Redmond, Jr. (Reg. 18,753), Kevin M. Jordan (Reg. 40,277), Stephen C. Kaufman (Reg. 29,551), Jay. P. Sbrollini (Reg. 36,266), David M. Shofi (Reg. 39,835), Robert M. Trepp (Reg. 25,933), Louis P. Herzberg (Reg. 41,500), and Douglas W. Cameron (Reg. 31,596), Paul Otterstedt (Reg. 37,411), Louis J. Percello (Reg. 33,206) and Daniel P. Morris (Reg. 32,053).

**Exhibit C - Correspondence to be  
mailed to T. Rao Coca.**

**RECEIPT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:

Rajendra K. Bera

Serial No.: 09/728,096

Filed: December 1, 2000

For: DETERMINATION OF THE EQUIVALENCE OF ALGEBRAIC  
EXPRESSIONS

: Confirmation No. 4541

: Group Art Unit: 2121

: Examiner:

: Docket No.: JP919990704US

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**OFFICE OF PETITIONS**

**Received**

**FEB 01 2002**

Technology Center 2100

**APPOINTMENT OF ATTORNEY**

Commissioner for Patents  
Washington, D.C. 20231



Sir:

The undersigned attorney, who has been appointed as an attorney in the Combined Declaration and Power of Attorney for the above-identified application, hereby appoints the following [of International Business Machines Corporation, Almaden Research Center, 650 Harry Road, San Jose, California 95120, telephone number (408) 927-3360] his associate attorneys to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith:

T. Rao Coca (Reg. No. 29,784), Thomas R. Berthold (Reg. No. 28,689), Daniel E. Johnson (Reg. No. 37,033), Marc D. McSwain (Reg. No. 44,929), Alison D. Mortinger (Reg. No. 39,306), Khanh Q. Tran (Reg. No. 41,352)

Please direct all official communications to T. Rao Coca, at the address cited above.

Respectfully submitted,  
Attorney for the Applicant(s)

Dated: 1/23/02

by Manny Schechter

Manny Schechter

Reg. No. 31,722

Tel.: (914) 945-3252

IBM Corporation  
Intellectual Property Law Department  
P. O. Box 218  
Yorktown Heights, NY 10598  
Fax: 914-945-3281

# Exhibit D-~~Cont~~ page of the Office Action



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1410  
Alexandria, Virginia 22313-1410  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,096	12/01/2000	Rajendra Kumar Bera	JA999-704	4541

7590  
Ronald L. Drumheller  
94 Teakettle Spout Road  
Mahopac, NY 10541

06/27/2003

EXAMINER

ZHEN, WEI Y

ART UNIT

PAPER NUMBER

2122

DATE MAILED: 06/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Exhibit 2 pages - Notice of Abandonment



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,096	12/01/2000	Rajendra Kumar Bera	JA999-704	4541

7590 01/13/2004  
Ronald L. Drumheller  
94 Teakettle Spout Road  
Mahopac, NY 10541

EXAMINER

ZHEN, WEI Y

ART UNIT PAPER NUMBER

2122

DATE MAILED: 01/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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**OFFICE OF PETITIONS**

**Notice of Abandonment**

Application No.

09/728,096

Examiner

Wei Y Zhen

Applicant(s)

BERA, RAJENDRA KUMAR

Art Unit

2122

**RECEIVED**

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

DEC 20 2004

This application is abandoned in view of:

**OFFICE OF PETITIONS**

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 27 June 2003.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

Examiner called applicant's representative, Ronald Drumheller on 1/7/2004 and was told that the applicant's representative does not have the office action mailed on 6/27/2003 on the record.

**WEI Y. ZHEN**  
**PRIMARY PATENT EXAMINER**



Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

# Exhibit F - 3 pages - Anthony England receives Power of Attorney - Status Inquiry

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/728,096	
	Filing Date	12/01/2000	
	First Named Inventor	Bera	
	Art Unit	2121	
	Examiner Name	unknown	
Total Number of Pages in This Submission	3	Attorney Docket Number	JA9-99-704

**RECEIVED**  
**DEC 20 2004**  
**OFFICE OF PETITIONS**

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Status Inquiry
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Anthony V.S. England
Signature	<i>Anthony V.S. England</i>
Date	2/14/2004

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Anthony V.S. England	
Signature	<i>Anthony V.S. England</i>	Date 2/14/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Practitioner's Docket No. JA9-99-704**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: Rajendra K. BeraApplication No.: 09/728,096 Group No.: 2121Filed: 12/01/2000 Examiner: UnassignedFor: Determination of the Equivalence of Algebraic ExpressionsCommissioner for Patents  
Washington, D.C. 20231**RECEIVED**

DEC 20 2004

**OFFICE OF PETITIONS****ASSOCIATE POWER OF ATTORNEY (37 C.F.R. § 1.34)**

NOTE: Submission of a Power of Attorney after issuance of the Notice of Allowance in an application does not result in a reduction in patent term adjustment under 37 C.F.R. § 1.704(c)(10). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

Please recognize as Associate Practitioner in this case:

Name of practitioner Anthony EnglandAddress 1717 West Sixth Street, Suite 230Austin, TX 78703Reg. No. 35,129Tel. No. ( 512 ) 477-7165

NOTE: Correspondence will be held with the associate attorney, unless the principal attorney directs otherwise. MPEP § 403.01.

NOTE: An associate attorney may not appoint another attorney. M.P.E.P. § 402.02, 6th ed.

Reg. No.: 29,784Tel. No.: ( 408 ) 927-3360

Customer No.:

SIGNATURE OF PRINCIPAL PRACTITIONER OF  
RECORDT. Rao Coca

(type or print name of practitioner)

650 Harry Road

P.O. Address

San Jose, CA 95120

**In the United States Patent and Trademark Office**

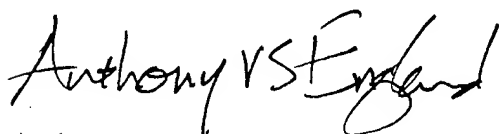
In re the application of:	)	
Rajendra K. Bera	)	
	)	
Filed: 12/01/2000	)	Group Art Unit: 2121
	)	
For: Determination of the	)	Examiner: unknown
Equivalence of Algebraic	)	
Expressions	)	
	)	
Application No. 09/728,096	)	
	)	
Applicant's Docket:	)	
JA9-99-704	)	

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**STATUS INQUIRY**

We have not received an Office action for the subject application. Please advise as to the status of this case.

Respectfully submitted,



Anthony V. S. England  
Attorney for Applicant  
Registration No. 35,129  
1717 West Sixth Street  
Suite 230  
Austin, TX 78703  
a@aengland.com  
512-477-7165

# Exhibit H - Cover sheet of copy of Notice of Abandonment mailed to Jack Friedman



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,096	12/01/2000	Rajendra Kumar Bera	JA999-704	4541
30449	7590	10/22/2004		
SCHMEISER, OLSEN + WATTS SUITE 201 3 LEAR JET LATHAM, NY 12033				
EXAMINER ZHEN, WEI Y				
ART UNIT 2122		PAPER NUMBER		

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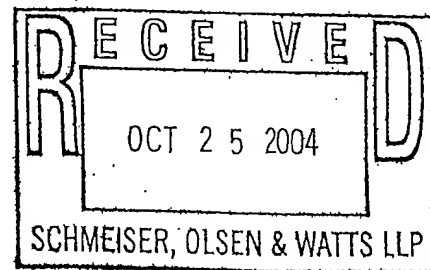
DATE MAILED: 10/22/2004

DEC 20 2004

**OFFICE OF PETITIONS**

Please find below and/or attached an Office communication concerning this application or proceeding.

*Copy of returned notice of abandonment,*



# Exhibit G-2 ~~pages~~ Change of Address and POA

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Rajendra K. Bera			JP919990704US1
Serial No. 09/728,096	Filing Date 12/01/00	Examiner N/A	Group Art Unit 2121
Invention: DETERMINATION OF THE EQUIVALENCE OF ALGEBRAIC EXPRESSIONS			
<div style="text-align: right;"><b>RECEIVED</b> DEC 20 2004 <b>OFFICE OF PETITIONS</b></div> <p>I hereby certify that this _____ Change of Address and Power of Attorney (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9306 on 2/26/04 (Date)</p> <div style="text-align: right;"><p>June M. Mitchell (Typed or Printed Name of Person Signing Certificate)</p><p><i>June M. Mitchell</i> (Signature)</p></div>			
Note: Each paper must have its own certificate of mailing.			

Docket No. JP919990704US1  
IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application of: Rajendra K. Bera

Group Art Unit: 2121	:	IBM Corporation
Examiner: N/A	:	Intellectual Property Law
Ser. No: 09/728,096	:	Department K4RA
Filed: 12/01/00	:	North Castle Drive
For: DETERMINATION OF THE	:	Armonk, NY 10504
EQUIVALENCE OF ALGERBRAIC	:	
EXPRESSIONS	:	

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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8(a) I hereby certify that this paper is being transmitted by facsimile to the Commissioner of Patents, PO Box 1450, Alexandria VA 22313-1450 at telephone number <u>703-872-9306</u> (Date) <u>02/26/04</u>  June M. Mitchell (Typed or Printed Name of Person Signing Certificate)  <u>June M. Mitchell</u> (Signature)
---

Change of Address Under 37 CFR 1.33(c) and Power of Attorney under 37CFR 1.34(b)

Commissioner for Patents  
P.O. Box 1450  
Alexander, VA 22313-1450

Sir:

I, Manny W. Schechter, Principal Attorney in the above-identified application, do hereby appoint Attorneys/Agents under Customer #26502 and Customer #30449 as Associate Attorneys/Agents for the purpose of prosecuting the above-identified application. Please address future correspondence to Customer #30449:

Jack P. Friedman  
Schmeiser, Olsen & Watts  
3 Lear Jet Lane, Suite 201  
Latham, NY 12110